

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES	)	
COMPANY FOR CERTIFICATES OF PUBLIC	)	CASE NO.
CONVENIENCE AND NECESSITY AND	)	2011-00161
APPROVAL OF ITS 2011 COMPLIANCE PLAN	)	
FOR RECOVERY BY ENVIRONMENTAL	)	
SURCHARGE	)	

O R D E R

On September 1, 2011, Kentucky Utilities Company ("KU") filed a motion seeking a deviation from the Commission's June 28, 2011 Order, which required KU to file an original and 15 copies of all data responses and attachments. KU states that the documents contained in certain of its responses to the joint Supplemental Information Request ("Supplemental Request") propounded by Rick Clewett, Raymond Barry, Sierra Club, and Natural Resources Defense Council (collectively "Environmental Intervenors") are voluminous and that the Environmental Intervenors have requested certain information in electronic form. Therefore, KU requests that it be allowed to file with the Commission in electronic format only the original and 15 copies of the attachments to its responses to the Supplemental Request Nos. 1 and 9; and to file in paper format the original and in electronic format the 15 copies of the attachments to KU's response to Supplemental Request No. 30.

Specifically, KU asserts that the Environmental Intervenors' Supplemental Request No. 1 asks for the names of the electronic files KU provided in response to the Environmental Intervenors' Initial Request for the Production of Documents ("Initial

Request”) No. 26. KU had previously requested and was granted a deviation to file only electronic copies of its responses to that prior request, and it now seeks to file only electronic copies of the same electronic files previously filed, but with the full-length file names intact.

In addition, KU asserts that Supplemental Request No. 9 explicitly asks for data in electronic format regarding annual capital expenditures for a broad range of items. KU proposes to comply with this request by providing the requested information in electronic format on compact disc.

Lastly, KU states that its response to Supplemental Request No. 30 consists of 540 pages. KU notes that to produce an original and 15 copies for the Commission would total over 8,500 pages and that service copies would require even more pages. Therefore, KU requests a deviation to file a single paper copy with the Commission, with 15 additional copies and all service copies to be produced in electronic format.

Having reviewed the motion and being otherwise sufficiently advised, the Commission finds that KU has established good cause to deviate from the provision in the June 28, 2011 Order that requires the filing of 15 paper copies with the Commission and service of a paper copy on all parties to this case. The Commission finds that KU should be allowed to file its responses to Supplemental Request Nos. 1 and 9 in electronic form given that the underlying discovery requests sought responses in electronic form. The Commission further finds that the response to Supplemental Request No. 30 is sufficiently voluminous to allow KU to substitute electronic copies on compact discs for the 15 paper copies to be filed with the Commission and the copies to

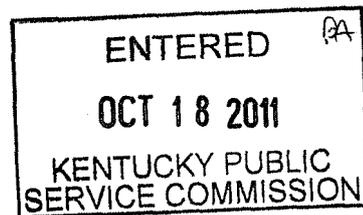
be served on the parties. However, as stated in KU's motion, KU shall file its original response to Supplemental Request No. 30 in paper format.

IT IS THEREFORE ORDERED that:

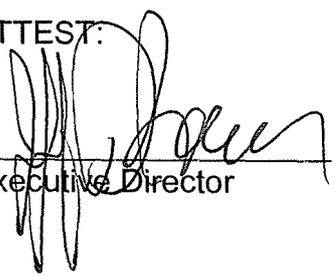
1. KU's motion to deviate from the filing requirements of the June 28, 2011 Order is granted.

2. Within seven days of the date of this Order, KU shall file with the Commission its original response to the Environmental Intervenors' Supplemental Request No. 30 in paper format.

By the Commission



ATTEST:

  
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